

LEVIN-EPSTEIN & ASSOCIATES, P.C.

420 Lexington Avenue • Suite 2525 • New York, New York 10170
T: 212.792-0046 • E: Jason@levinepstein.com

September 14, 2020

Via Electronic Filing

The Honorable Judge Gregory H. Woods
U.S. District Court, Southern District of New York
500 Pearl St.
New York, NY 10007-1312

Re: *The Pullman Group, LLC v. Isley et al*
Case No.: 1:20-cv-07293-GHW

Dear Honorable Judge Woods:

This law firm represents Plaintiff The Pullman Group, LLC (the “**Plaintiff**”) in the above-referenced matter.

Pursuant to Your Honor’s Individual Motion Practice Rules 1(A), and Your Honor’s September 14, 2020 Order [Dckt. No. 21], this letter respectfully serves to provide supplemental information regarding: (i) the principal place of business of Defendants Three Boys Music Corporation, Bovina Music, Inc., T-Neck Records, Inc., and Triple Three Music, Inc.; (ii) Defendant Isley Brothers Royalty Venture I SPC, Inc. and the citizenship of each of its members; and (iii) the citizenship of Defendant The Estate of O’Kelley Isley, J.R..

As explained in greater detail below:

1. Defendants Three Boys Music Corporation, Bovina Music, Inc., T-Neck Records, Inc., and Triple Three Music, Inc. do not maintain a principal place of business in California;
2. Defendant Isley Brothers Royalty Venture I SPC, Inc. does not maintain a principal place of business in California; and
3. Defendant The Estate of O’Kelley Isley, J.R. is not a citizen of California.

I. Defendants Three Boys Music Corporation, Bovina Music, Inc., T-Neck Records, Inc., and Triple Three Music, Inc. Do Not Maintain a Principal Place of Business in California

As noted in Plaintiff’s Complaint, Defendants Three Boys Music Corporation, Bovina Music, Inc., T-Neck Records, Inc., and Triple Three Music, Inc. were entities set up by the Isley Brothers that were dissolved subsequent to and/or their assets assigned to Isley Brothers LLC after the dates of the Engagement Letters. [Dckt. No. 1 at ¶ 4, fn. 8]. Upon information and belief, Isley Brothers LLC, Royalty Venture, Ronald and Rudolph are the successors-in-interest to Three Boys, Bovina, T-Neck and Triple Three. [*Id.* at ¶¶ 4, 24].

The Complaint alleges that Isley Brothers LLC was and is a domestic limited liability company organized and existing under the laws of the State of Delaware, co-administered by Ronald Isley (“**Ronald**”) and Rudolph Isley (“**Rudolph**”). [*Id.* at ¶¶ 17, 75, 77]. A true and correct copy of the Delaware DOS, Division of Corporation filing for Defendant Isley Brothers LLC is annexed hereto as **Exhibit “A”**.

According to the Complaint, Ronald is an individual residing in Otisville, New York. [*Id.* at ¶¶ 11]. Upon information and belief, Ronald also maintains a residence in Saint Louis, Missouri. [*See* Dckt. No. 12].

According to the Complaint, Rudolph is an individual residing in Saint Louis, Missouri. [*Id.* at ¶¶ 12]. Upon information and belief, Rudolph also maintains a residence in Otisville, New York [*see* Dckt. No. 12] and Olympia Fields, Illinois [*see* Dckt. No. 20].

According to the Complaint, neither Ronald nor Rudolph are residents or citizens of the state of California. [*See* Dckt. No. 1 at ¶ 7].

The Complaint also alleges that Defendant Isley Brothers Royalty Venture I SPC, Inc. was and is a domestic limited liability company organized and existing under the laws of the State of Delaware. [*Id.* at ¶¶ 18]. However, this entity designation is a scrivener’s error. In fact, Defendant Isley Brothers Royalty Venture I SPC, Inc. was and is a **corporation** organized and existing under the laws of the State of Delaware. A true and correct copy of the Delaware DOS, Division of Corporation filing for Isley Brothers Royalty Venture I SPC, Inc. is annexed hereto as **Exhibit “B”**.

In light thereof, Defendants Three Boys Music Corporation, Bovina Music, Inc., T-Neck Records, Inc., and Triple Three Music, Inc. – as the predecessors-in-interest to Defendants Isley Brothers LLC, Isley Brothers Royalty Venture I SPC, Inc., Ronald and Rudolph – can only maintain a principal place of business in Delaware, New York, Missouri or Illinois. Therefore, none of these defendants has the same citizenship or principal place of business as Plaintiff – *i.e.* California.

II. Defendant Isley Brothers Royalty Venture I SPC, Inc. Does Not Maintain A Principal Place of Business in California

As discussed in Section I, ¶ 6, *supra*, Defendant Isley Brothers Royalty Venture I SPC, Inc. was and is a **corporation** organized and existing under the laws of the State of Delaware. *See* Ex. B.

Irrespective of this fact, the members of Defendant Isley Brothers Royalty Venture I SPC, Inc. – Ronald and Rudolph – are citizens of New York, Missouri and/or Illinois.

In light thereof, Defendant Isley Brothers Royalty Venture I SPC, Inc. does not maintain a principal place of business in California.

III. Defendant The Estate of O’Kelley Isley, J.R. is a Citizen of New Jersey

Decedent, O’Kelly Isley, Jr. was a citizen of New Jersey. Therefore, Defendant The Estate of O’Kelley Isley, J.R. is a citizen of New Jersey.

IV. Conclusion

As set forth more fully above, Plaintiff has adequately alleged complete diversity of citizenship such that “each defendant is a citizen of a different State from each plaintiff.” *Owen Equip. & Erection Co. v. Kroger*, 437 U.S. 365, 373 (1978).

Thank you, in advance, for your time and attention to this matter.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Joshua D. Levin-Epstein
Joshua D. Levin-Epstein, Esq.
420 Lexington Avenue, Suite 2525
New York, NY 10170
Tel. No.: (212) 792-0046
Email: Joshua@levinepstein.com
Attorneys for Plaintiff

VIA ECF: All Counsel